



September 25, 2012

RE: SEPA Rule Making - Round 1

The following comments are submitted for consideration for the revision to WAC 197-11:

1. The requirement to submit a project, exempted under Tier 2, for publication in the SEPA register, WAC 197-11-800(c)(iv) and WAC 197-11-508, should be stricken from the proposed WAC amendment. A project that meets the exemption criteria should be allowed to proceed without a requirement to prepare documentation for submittal to the Department of Ecology. Currently projects that are exempt are not burdened by such a submittal requirement; to add such a policy would be in conflict with the intent of the Legislature to reduce unnecessary practices. To add this requirement would mean that an extra level of unnecessary "red tape" would become policy. This requirement is unsubstantiated and should be stricken from the revision.
2. To add the phrase "installed within existing improved rights-of-way and developed utility corridors" to the wording in the existing policy limits the present exemption threshold by further defining where the exemption can be applied. This is adding more "red tape", not reducing restrictions. This phrase should be taken out of the amendment and the old wording should remain unchanged. The City of Raymond, and virtually every municipality in the State, have utility lines buried in unimproved rights-of-ways, thus this "new" restriction would be very burdensome for municipalities. There is no reason to differential between improved and unimproved rights-of ways. This requirement should be stricken from the revision.

Respectfully submitted;

Howard Pearson

